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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/030,797	05/13/2002	Scott Edward Klopfenstein	RCA89615	5617
7590 01/12/2007 Joseph S Tripoli Thomson, Multimedia Licensing P O Box 5312 Princeton, NJ 08540-5312			EXAMINER DANG, HUNG Q	
			ART UNIT 2621	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE			MAIL DATE	DELIVERY MODE
3 MONTHS			01/12/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/030,797	Applicant(s) KLOPFENSTEIN ET AL.	
	Examiner Hung Q. Dang	Art Unit 2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 May 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 May 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>02/12/2002</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 4-9, and 12-13 are rejected under 35 U.S.C. 102(e) as being anticipated by Kondo et al. (US Patent 6,763,522).

Regarding claim 1, Kondo et al. disclose a method in a system for decoding packetized program information including ancillary program specific information comprising a plurality of hierarchically ordered information tables (column 3, line 65 – column 4, line 3), said ancillary information being for use in acquiring and decoding packetized program information to provide a video program for display (column 3, line 65 – column 4, line 3), comprising the steps of: detecting a mismatch between a version number of a first table of said program specific information and a corresponding version number of said first table conveyed in a second table (column 10, lines 1-12; column 4, lines 6-17); ensuring compatibility of said first table version number conveyed in said first and second tables in response to said detected mismatch (column 8, lines 59-66; column 9, lines 6-9, 25-28; column 11, lines 2-50); and decoding packetized program information using program specific information including said first and second tables

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including said forced compatible version number to provide a video program for display (column 4, lines 25-33; column 2, lines 41-44).

Regarding claim 4, Kondo et al. also disclose said second table conveys a plurality of version numbers corresponding to version numbers conveyed in said plurality of hierarchically ordered information tables (TABLE 1 in column 9), and said detecting step includes the step of comparing individual version numbers of said plurality of hierarchically ordered information tables against corresponding individual version numbers conveyed in said second table (column 10, line 63 – column 11, line 53).

Regarding claim 5, Kondo et al. also disclose said step of ensuring compatibility of said first table version number conveyed in said first and second tables includes the step of substituting a version number for said first table version number conveyed in at least one of (a) said first table, and (b) said second table, to ensure compatibility (column 10, lines 6-8).

Regarding claim 6, Kondo et al. also disclose said substituting step comprises overwriting said first table version number conveyed in at least one of (a) said first table, and (b) said second table, to ensure compatibility (column 10, lines 6-8).

Regarding claim 7, Kondo et al. also disclose said step of ensuring compatibility of said first table version number conveyed in said first and second tables includes the step of reverting to a previous version of at least one of (a) said first table, and (b) said second table, to ensure version number compatibility (column 10, lines 8-10).

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Regarding claim 8, Kondo et al. also disclose said step of ensuring compatibility of said first table version number conveyed in said first and second tables includes the step of initiating acquisition of at least one of (a) a new version of said first table, and (b) a new version of said second table, to ensure version number compatibility (column 11, lines 2-10).

Regarding claim 9, Kondo et al. disclose a method in a system for decoding packetized program information including ancillary program specific information comprising a plurality of hierarchically ordered information tables (column 3, line 65 – column 4, line 3), said ancillary information being for use in acquiring and decoding packetized program information to provide a video program for display (column 3, line 65 – column 4, line 3), comprising the steps of: detecting a mismatch between a version number of a first table of said program specific information and a corresponding version number of said first table conveyed in a second table (column 10, lines 1-12; column 4, lines 6-17); decoding packetized program information (column 4, lines 25-33; column 2, lines 41-44) by disregarding said first table version number conveyed in said first and second tables in response to said detected mismatch and by applying program specific information including information in said first table (column 11, lines 2-10).

Claim 12 is rejected for the same reason as discussed in claim 4 above with reference to claim 9 above.

Regarding claim 13, Kondo et al. disclose a method in a system for decoding packetized program information including ancillary program specific information comprising a plurality of hierarchically ordered information tables (column 3, line 65 –

column 4, line 3), said ancillary information being for use in acquiring and decoding packetized program information to provide a video program for display (column 3, line 65 – column 4, line 3), comprising the steps of: detecting a mismatch between a version number of a first table of said program specific information and a corresponding version number of said first table conveyed in a second table (column 10, lines 1-12; column 4, lines 6-17); re-acquiring a first table of said program specific information in response to said detected mismatch (column 11, lines 19-23); examining said re-acquired first table and said second table for a mismatch of said first table version number (column 11, lines 19-23); and inhibiting decoding packetized program information in response to said detected mismatch between said re-acquired first table and second table (column 9, lines 25-36).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2 and 14-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kondo et al. (US Patent 6,763,522) as applied to claims 1, 4-9, and 12-13 above, and further in view of Ozkan et al. (WO 99/03268).

Regarding claim 2, Kondo et al. disclose second table contains information for acquiring program specific information conveyed in other tables including identifiers for identifying data packets comprising said first table (TABLE 1 in column 9). Kondo et al.

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also disclose first table comprises a channel map, which contains a list of all of the channels with their attributes (column 9, lines 1-6). However, Kondo et al. do not disclose the channel map to associate a transmission channel carrier frequency with data identifiers used to capture data streams constituting a program conveyed on a broadcast channel.

Ozkan et al. disclose a channel map to associate a transmission channel carrier frequency with data identifiers used to capture data streams constituting a program conveyed on a broadcast channel (abstract).

One of ordinary skill in the art at the time the invention was made would have been motivated to incorporate the channel map taught by Ozkan et al. into the channel map taught by Kondo et al. because of simple implementation.

Claim 14 is rejected for the same reason as discussed in claim 2 above with reference to claim 13 above.

Regarding claim 15, see the teachings of Kondo et al. and Ozkan et al. as discussed in claim 14 or claim 2 above. Under consideration of the proposed combination, Kondo et al. also disclose indicating in a database said transmission channel is associated with said detected mismatch between said re-acquired first table and said second table (column 9, lines 25-31).

Claim 16 is rejected for the same reason as discussed in claim 2 above with reference to claim 13 above.

Regarding claim 17, Kondo et al. disclose a method in a system for decoding packetized program information including ancillary program specific information

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comprising a plurality of hierarchically ordered information tables (column 3, line 65 – column 4, line 3), said ancillary information being for use in acquiring and decoding packetized program information to provide a video program for display (column 3, line 65 – column 4, line 3), comprising the steps of: detecting a mismatch between a version number of a first table of said program specific information and a corresponding version number of said first table conveyed in a second table (column 10, lines 1-12; column 4, lines 6-17); indicating in a database the detected mismatch between said re-acquired first table and said second table (column 9, lines 25-31); inhibiting decoding packetized program information in response to said detected mismatch between said re-acquired first table and second table (column 9, lines 25-36). Kondo et al. also disclose first table comprises a channel map, which contains a list of all of the channels with their attributes (column 9, lines 1-6)

However, Kondo et al. do not disclose a channel map associating a transmission channel carrier frequency with data identifiers used to capture data streams constituting a program conveyed on a broadcast channel.

Ozkan et al. disclose a channel map to associate a transmission channel carrier frequency with data identifiers used to capture data streams constituting a program conveyed on a broadcast channel (abstract).

One of ordinary skill in the art at the time the invention was made would have been motivated to incorporate the channel map taught by Ozkan et al. into the channel map taught by Kondo et al. because of simple implementation.

Claim 18 is rejected for the same reason as discussed in claim 2 above with reference to claim 17 above.

Claims 3, 10, and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kondo et al. (US Patent 6,763,522) as applied to claims 1, 4-9, and 12-13 above, and further in view of Blatter et al. (US Patent 5,844,595).

Regarding claim 3, see the teachings of Kondo et al. as discussed in claim 1 above. However, Kondo et al. do not disclose examining said program specific information for error indications by examining at least one of (a) an MPEG transport error indicator, (b) an MPEG discontinuity indicator, (c) an MPEG continuity counter, and decoding said packetized program information in response to said examination determination of an error free condition.

Blatter et al. disclose examining program specific information for error indications (abstract) by examining at least one of (a) an MPEG transport error indicator, (b) an MPEG discontinuity indicator, (c) an MPEG continuity counter (column 12, lines 16-22; column 15, lines 44-67), and decoding packetized program information in response to said examination determination of an error free condition (abstract).

One of ordinary skill in the art at the time the invention was made would have been motivated to incorporate the concept of examining the program specific information for errors and decoding the packetized program information in response to a determination of an error free condition taught by Blatter et al. into the method taught by Kondo et al. for ensuring data reliability.

Regarding claim 10, see the teachings of Kondo et al. as discussed in claim 9 above. However, Kondo et al. do not disclose examining said program specific information for an error condition and decoding said packetized program information in response to the absence of an error condition.

Blatter et al. disclose examining said program specific information for an error condition (abstract) and decoding said packetized program information in response to the absence of an error condition (abstract).

One of ordinary skill in the art at the time the invention was made would have been motivated to incorporate the concept of examining the program specific information for error condition and decoding the packetized program information in response to the absence of an error condition taught by Blatter et al. into the method taught by Kondo et al. for ensuring data reliability.

Regarding claim 11, see the teachings of Kondo et al. and Blatter et al. as discussed in claim 10 above. Furthermore, Blatter et al. also disclose said error condition is indicated by at least one of (a) an MPEG transport error indicator, (b) an MPEG discontinuity indicator, (c) an MPEG continuity counter (column 12, lines 16-22; column 15, lines 44-67).

Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kondo et al. (US Patent 6,763,522) and Augenbraun et al. (US Patent 5,617,565).

Regarding claim 19, Kondo et al. disclose a method in a system for decoding packetized program information including ancillary program specific information comprising a plurality of hierarchically ordered information tables (column 3, line 65 –

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column 4, line 3), said ancillary information being for use in acquiring and decoding packetized program information to provide a video program for display (column 3, line 65 – column 4, line 3), comprising the steps of: detecting a fault condition in program specific information comprising at least one of (a) a version number incompatibility between a version number of a first table and a corresponding version number of said first table conveyed in a second table, and (b) a PSI error condition (column 10, lines 1-12; column 4, lines 6-17); indicating in a database said transmission channel is associated with said detected fault condition (column 9, lines 25-31). Also, Kondo et al. also disclose the information associated with the fault detection is flagged invalid and not displayed (column 9, lines 25-31). However, Kondo et al. do not disclose removing a channel associated with said fault condition from a User's viewable active channel line-up list.

Augenbraun et al. disclose removing a channel from a User's viewable active channel line-up list.

One of ordinary skill in the art at the time the invention was made would have been motivated to incorporate the step of removing a channel from the line-up list taught by Augenbraun et al. into the method taught by Kondo et al. because such doing would make the method user-friendlier.

Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kondo et al. (US Patent 6,763,522) and Augenbraun et al. (US Patent 5,617,565) as applied to claim 19 above, and further in view of Blatter et al. (US Patent 5,844,595).

Regarding claim 20, see the teachings of Kondo et al. and Augenbraun et al. as discussed in claim 19 above. However, the proposed combination of Kondo et al. and Augenbraun et al. does not disclose detecting a PSI error condition comprising at least one of (a) an MPEG transport error, (b) an MPEG discontinuity error, (c) an MPEG continuity count error, and (d) an error indicated by a variance between successive time stamps.

Blatter et al. disclose detecting a PSI error condition (abstract) comprising at least one of (a) an MPEG transport error, (b) an MPEG discontinuity error, (c) an MPEG continuity count error, and (d) an error indicated by a variance between successive time stamps (column 12, lines 16-22; column 15, lines 44-67).

One of ordinary skill in the art at the time the invention was made would have been motivated to incorporate the step of detecting PSI error condition taught by Blatter et al. into the method taught by Kondo et al. and Augenbraun et al. for data reliability.

Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kondo et al. (US Patent 6,763,522) and Augenbraun et al. (US Patent 5,617,565) as applied to claim 19 above, and further in view of Fujimori et al. (US Patent 6,445,923).

Regarding claim 21, see the teachings of Kondo et al. and Augenbraun et al. as discussed in claim 19 above. However, the proposed combination of Kondo et al. and Augenbraun et al. does not disclose indicating a channel as being associated with a fault condition in a user's viewable channel line-up list.

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Fujimori et al. disclose indicating a channel as being associated with a fault condition in a user's viewable display (column 2, lines 1-8).

One of ordinary skill in the art at the time the invention was made would have been motivated to incorporate the step of indicating a channel as being associated with a fault condition in a user's viewable display taught by Fujimori et al. into the method taught by Kondo et al. and Augenbraun et al. because doing such would make the method user-friendlier.

Contact Information

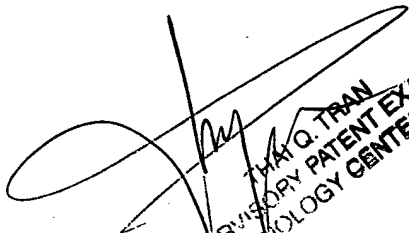
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung Q. Dang whose telephone number is 571-270-1116. The examiner can normally be reached on M-Th:7:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thai Tran can be reached on 571-272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Hung Dang
Patent Examiner



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